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*Attorneys for Plaintiffs Nina Afrasiabi,
Individually and On Behalf of All
Others Similarly Situated*

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

NINA AFRASIABI, INDIVIDUALLY AND
ON BEHALF OF ALL OTHERS
SIMILARLY SITUATED,

Plaintiffs,

v.

HSBC BANK NEVADA, N.A.,

Defendant.

Case No. 12-CV-1263-MMA-DHB

**JOINT MOTION FOR DISMISSAL OF
ACTION WITHOUT PREJUDICE
PURSUANT TO FEDERAL RULE OF
CIVIL PROCEDURE 41(A)(1)(A)(II)**

Hon. Michael M. Anello

Plaintiff Nina Afrasiabi (hereinafter "Plaintiff") and Defendant HSBC Bank Nevada, N.A. (hereinafter "Defendant") hereby move to dismiss the above-captioned action voluntarily and without prejudice. Plaintiff has informed Defendant that she intends to pursue her claims in the action styled *Mills v. HSBC Bank Nevada, N.A.*, Case No. 3:12-cv-04010-SI (N.D. Cal.).

Dated: November 1, 2012

/s/ Joshua B. Swigart
Joshua B. Swigart

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3 Dated: November 1, 2012

/s/ Lisa M. Simonetti

4 Lisa M Simonetti

5 Lisa M Simonetti
6 Stroock Stroock and Lavan
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12 *Attorneys for Defendant HSBC Bank Nevada, N.A*

13 **Signature Certification**

14 Pursuant to Section 2(f)(4) of the Electronic Case Filing Administrative Policies
15 and Procedures Manual, I hereby certify that the content of this document is acceptable to Lisa M
16 Simonetti, counsel for Defendant, and that I have obtained Ms. Simonetti's authorization to affix
17 her electronic signature to this document.

18 Dated: November 1, 2012

/s/ Joshua B. Swigart

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